WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1999

ENROLLED

SENATE BILL NO. 152

(By Senator WOOTON, CT BL)

PASSED MARCH 10, 1999
In Effect NINETY DAYS FROM PASSAGE
ENROLLED

Senate Bill No. 152

(By Senators Wooton, Ball, Dittmar, Fanning, Kessler, McCabe, Mitchell, Oliverio, Ross and Snyder)

[Passed March 10, 1999; in effect ninety days from passage.]

AN ACT to amend article one, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section ten, relating to requiring state agencies to supply certain information to the Legislature regarding federally mandated statutory changes; information required; and penalty.

Be it enacted by the Legislature of West Virginia:

That article one, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section ten, to read as follows:

ARTICLE 1. DEPARTMENT OF ADMINISTRATION.

§5A-1-10. Required information regarding federally mandated changes in state law; penalty.

1 (a) Notwithstanding any provision of this code to the contrary, any agency of this state seeking a change in state law based upon a purported need to be in compliance with
federal law shall, prior to the fifteenth day of the legisla-
tive session in which the statutory change or changes are
sought, provide in writing to the president of the Senate
and speaker of the House of Delegates a written request
for the statutory changes.

(b) The request referred to in subsection (a) of this
section shall include or be accompanied by:

(1) A complete statement of any federal moneys which
would be lost by failure to comply along with documenta-
tion supporting the amount set forth;

(2) A copy of the specific federal law requiring said
change;

(3) A copy of the specific provision of the code of federal
regulations or federal register mandating the change in
state law;

(4) Where possible, correspondence from the federal
agency charged with enforcing or approving state compli-
ance with such federal law or regulation setting forth the
necessary changes;

(5) A statement of any exemptions or exceptions avail-
able which would allow the state to not comply with the
federal law;

(6) A detailed fiscal note; and

(7) Where compliance with the requirement in subsection
(a) of this section that the documents and request be
provided is not met, a written explanation setting forth the
reasons for the failure to comply.

(c) Willful failure to comply with the provisions of this
section shall constitute grounds for disciplinary action by
the head of the agency involved for the person or persons
charged as part of his or her employment with compliance
with this section.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the Senate.
In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within... approved... this the... Day of... 1999

Governor
PRESENTED TO THE
GOVERNOR
Date 3/8/99
Time 11:02 am